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8 PRECISION VALVE & AUTOMATION, INC.

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 RUBEN JUAREZ, an individual and
13 ISELA HERNANDEZ, an individual,

14 Plaintiffs,
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16 PRECISION VALVE &
17 AUTOMATION, INC., a corporation
18 and DOES 1-20,

19 Defendants.
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CASE NO. CV17-03342-ODW (GJSX)
[L.A.S.C. Case No. BC650229]

**DECLARATION OF DUC Q. PHAN IN
SUPPORT OF DEFENDANT
PRECISION VALVE & AUTOMATION,
INC.'S MOTION FOR SUMMARY
JUDGMENT**

Date: October 1, 2018
Time: 1:30 p.m.
Ctm: 5D, 5th Floor
Judge: Hon. Otis D. Wright II

*This motion is made following the
conference of counsel pursuant to L.R. 7-3
which took place on July 16, 2018. (Catalona
Dec., ¶ 57, Ex. 57.)

**Defendant requests oral argument on this
motion for summary judgment.

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2 I, Duc Q. Phan, declare,

3 1. I have personal knowledge of the following facts and could competently
4 testify to those facts if called as a witness.

5 2. I was employed at Space Explorations Technologies Corp., known as
6 "SpaceX," in Hawthorne, California from 2013 to 2015. In 2013-2014, I worked in the
7 Avionics Department which was located on the third floor of the main building. I stopped
8 working in the Avionics Department in 2014 when I was transferred to the Structures
9 Department. When I worked in the Avionics Department, I knew Ruben Juarez but do not
10 recall working directly with him at that time.

11 3. As provided in SpaceX's standard operating procedures, employees
12 operating the equipment at SpaceX were required to follow the product manufacturer's
13 specifications and operating instructions which were available to Avionics Department
14 employees. Every employee in the Avionics Department was required to follow SpaceX's
15 Standard Operating Procedures including one entitled "Avionics Standard Operating
16 Procedure: Polymeric Application on Electronic Assemblies." Attached to this
17 declaration as Exhibits 76 and 77 are true and correct copies of relevant portions of this
18 Standard Operating Procedure that was used in 2013 when I worked in that department.
19 These documents contained SpaceX's instructions for operating the PVA 350 in addition
20 to other equipment in the Avionics Department.

21 4. Attached hereto as Exhibit 78 is a true and correct copy of relevant portions
22 of power point slides and presenter dialogue from one of SpaceX's Hazard
23 Communication training courses which I took at SpaceX. I took multiple courses like this
24 one during my time at SpaceX. All Avionics Department employees including Ruben
25 Juarez were required to take these courses annually which were taken at a computer.
26 After the presentation was concluded, the employee had to pass a test by correctly
27 answering enough questions about the course materials before that training would be
28 deemed complete.

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